



Attorney/Docket No. 044158/275894

**DECLARATION (37 CFR § 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR § 1.76) WITH POWER OF ATTORNEY**

Title of Invention: **USE OF NEURAMINIDASE INHIBITORS TO PREVENT FLU  
ASSOCIATED BACTERIAL INFECTIONS**

As the below named inventor, I declare that:  
This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 10/809,127, filed on March 25, 2004,  
☐ as amended on \_\_\_ (if applicable);

I believe that I am the original and first inventor of the subject matter which is claimed and for which a patent is sought;

I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

**Customer Number 00826**

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FULL NAME OF INVENTOR

Inventor one: Jonathan A. McCullers

Citizen of: US

Signature: JAM Date Signed: 6/22/04